

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO: 24-CV-20193-ALTMAN/Sanchez

A.D.,

Plaintiff,

vs.

OCEANIA CRUISES S. de R.L.,
d/b/a OCEANIA CRUISES,

Defendant.

JOINT MOTION FOR LEAVE TO RESCHEDULE MEDIATION

The Parties, Defendant OCEANIA CRUISES S. de R.L., d/b/a OCEANIA CRUISES (“Oceania”), and Plaintiff, A.D., by and through the undersigned counsel and pursuant to the applicable Federal Rules of Civil Procedure and Local Rule 7.1 for the United States District Court for the Southern District of Florida, hereby file this Joint Motion for Leave to Reschedule Mediation, and in support thereof, state as follows:

1. This is a maritime personal injury action in which Plaintiff alleges that she was sexually assaulted by a crewmember while a passenger aboard the Oceania *Riviera* on January 18, 2023. Plaintiff, A.D., alleges that she has autism, and that the subject incident affected her ability to report and psychologically recover from the incident.

2. Prior to the undersigned’s retention in this matter, Oceania’s defense was handled in-house.

3. Following the undersigned's retention, the Parties have been working diligently to advance this case. The Parties are engaged in discovery and are working to coordinate depositions of witnesses and Plaintiff, as well as to schedule Plaintiff's Independent Medical Examination with Dr. Luz Restrepo, PsyD, to determine the full extent of Plaintiff's claimed damages in this matter.

5. Mediation was previously set with mediator, Elisabeth Rock, Esq., for August 20, 2024. (ECF No. 23). The Parties respectfully submit that holding a mediation prior to having full discovery responses, as well as Plaintiff's deposition and medical examination, would be premature. The fruitfulness and effectiveness of mediation would increase were the parties to have the benefit of the aforementioned information.

6. Accordingly, the Parties respectfully request leave to reschedule mediation in this matter with mediator Elisabeth Rock, Esq. for October 21, 2024.

7. This Court's granting of the instant Motion would not require modification of any deadlines set by this Court's Order Scheduling Trial, as under the Order, mediation must be completed by November 26, 2024. (ECF No. 18).

8. Pursuant to Local Rule 7.1, the Parties further submit that they have conferred and join in requesting the relief sought herein.

WHEREFORE, the Parties respectfully request that this Honorable Court grant their Joint Motion for Leave to Reschedule Mediation and enter an Order rescheduling mediation in this matter for October 21, 2024, with mediator Elisabeth Rock, Esq., and for any and all further relief this Court deems just and proper.

Dated: August 27, 2024
Miami, Florida

Respectfully submitted,

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CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that the foregoing was electronically filed with the Clerk of the Court via CM/ECF on August 27, 2024. We also certify that the foregoing was served on all counsel or parties of record on the attached Service List either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronic Notices of Filing.

By: /s/ Tyler J. Canfield

Tyler J. Canfield, Esq.

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